



866722

CHAMBER ACTION

| <u>Senate</u> | . | <u>House</u> |
|---------------|---|--------------|
| Comm: RCS     | . |              |
| 4/8/2008      | . |              |
|               | . |              |
|               | . |              |

---

---

1 The Committee on Health and Human Services Appropriations (Gaetz)  
2 recommended the following **amendment**:

3  
4 **Senate Amendment (with directory and title amendments)**

5 Between line(s) 391 and 392,  
6 insert:

7 (2) If the law enforcement officer takes the child into  
8 custody, that officer shall:

9 (a) Release the child to:

10 1. The parent or legal custodian of the child;

11 2. A responsible adult approved by the court when limited  
12 to temporary emergency situations;

13 3. A responsible adult relative who shall be given priority  
14 consideration over a nonrelative placement when this is in the  
15 best interests of the child; ~~or~~

16 4. The adoptive parent of the child's sibling, if such  
17 sibling was previously adopted, who shall be given priority



866722

18 consideration over a nonrelative placement if it is in the best  
19 interest of the child to do so; or

20 5.4. A responsible adult approved by the department; or  
21 (b) Deliver the child to an authorized agent of the  
22 department, stating the facts by reason of which the child was  
23 taken into custody and sufficient information to establish  
24 probable cause that the child is abandoned, abused, or neglected,  
25 or otherwise dependent.

26  
27 For cases involving allegations of abandonment, abuse, or  
28 neglect, or other dependency cases, within 3 days after such  
29 release or within 3 days after delivering the child to an  
30 authorized agent of the department, the law enforcement officer  
31 who took the child into custody shall make a full written report  
32 to the department.

33  
34 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

35 And the directory clause is amended as follows:

36 Delete line(s) 386-388

37 and insert:

38  
39 Section 8. Subsections (2) and (3) of section 39.401,  
40 Florida Statutes, are amended, and subsection (5) is added to  
41 that section, to read:

42  
43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 On line(s) 27, after the second semicolon,

46 insert:  
47



866722

48 | requiring a law enforcement officer who takes a child into  
49 | custody to release such child to an adoptive parent of the  
50 | child's sibling, if the sibling was previously adopted and  
51 | if it is in the best interest of the child;